

**Amendments to the Drawings:**

Please add the attached 1 new drawing sheet (Figure 7) to the Application.

As required by the examiner, new figure 7 is being submitted to show a material handling apparatus 20 including a first hydraulic actuator 25 coupled to support structure 6 and riser 30, a second hydraulic actuator 27 coupled to riser 30 and boom 40 and a third hydraulic actuator 28 coupled to boom 40 and jib 50.

**REMARKS**

This reply is intended to be completely responsive to the *Ex parte Quayle* Action dated August 4, 2010.

**Objections to the Drawings**

On page 2 of the Office Action, the Examiner has objected to the drawings stating “The claim is treated as having one actuator at each location ... The drawings must show the invention as claimed.” As discussed with Examiner Fox during the interview (discussed below), Applicants have amended the drawings and specification to show a vehicle and material handling apparatus as required by the Examiner. No new matter has been added with these amendments. Withdrawal of the objection to the drawings and allowance of the present application is respectfully requested.

**Examiner Interview Conducted**

On August 16, 2010, Applicants’ representative, James Borchardt, conducted a telephonic interview with Examiner Fox during which the drawing objections set forth in the *Ex parte Quayle* Action dated August 4, 2010 were discussed. During the interview an agreement was reached that drawings amendments showing a single hydraulic actuator between each segment of the material handling apparatus and appropriate specification amendments would address the drawing objections.

In addition, during the interview, Applicants argued (and Applicants still maintain) that FIGS. 1-6 show all elements of the claims as required by 37 C.F.R. § 1.83(a) and that the drawing objection raised by the Examiner is improper. However, an agreement regarding the propriety of the drawing objection was not reached.

**Conclusion**

The Applicants believe that the present application is in condition for allowance. Favorable reconsideration of the application, as amended, is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Applicants wish to note that the amendments presented herein are not intended to indicate agreement with or acquiescence in the drawing objections or the Examiner's statements regarding the subject matter of claim 1. As argued in the previous response, Applicants respectfully assert that FIGS. 1-6 "show every feature of the invention specified in the claims" and, as such, comply with 37 C.F.R. § 1.83(a). Claim 1 does not require "*only* one actuator between each segment of the device." Because the opened-ended transitional phrase "comprising" is used, claim 1 recites first, second and third telescopic actuators and first, second and third hydraulic actuators, but claim 1 should not be interpreted as requiring "*only*" the first, second and third telescopic actuators and first, second and third hydraulic actuators recited. Applicants have made the amendments presented herein to expedite issuance of the present application only.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date September 8, 2010

By /James D. Borchardt/

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 319-7077  
Facsimile: (414) 297-4900

James D. Borchardt  
Attorney for the Applicants  
Registration No. 62,025